

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

TRACY ANN PLEMMONS,

       Plaintiff,

vs.

CASE NO. CV-08-J-1677-NE

MICHAEL J. ASTRUE,  
Commissioner of the Social  
Security Administration,

Defendant.

**MEMORANDUM OPINION**

The plaintiff, Tracy Ann Plemmons, brings this action pursuant to the provisions of Section 205(g) of the Social Security Act (the Act), 42 U.S.C. § 405(g), seeking judicial review of a final adverse decision of the Commissioner of the Social Security Administration (the Commissioner) denying her applications for Disability Insurance Benefits and Supplemental Security Income.

The plaintiff filed her application for benefits on August 4, 2003, alleging a disability onset date of April 16, 2000, due to problems from borderline intellectual functioning, left total hip replacement secondary to Legg-Perthes Disease, left knee chondromalacia, hypertension, obesity, depression, asthma, and adjustment disorder. The application was denied initially on January 27, 2004, and again by an Administrative Law Judge on August 24, 2005. The ALJ's determination became the

final decision when the Appeals Council denied plaintiff's request for review.

The sole function of this court is to determine whether the decision of the Commissioner is supported by substantial evidence and whether proper legal standards were applied. *Bloodsworth v. Heckler*, 703 F.2d 1233 (11<sup>th</sup> Cir. 1983). The court has carefully reviewed the entire record in this case and is of the opinion that the Commissioner's decision is supported by substantial evidence and that proper legal standards were applied in reaching that decision. Accordingly, the decision of the Commissioner must be **AFFIRMED**.

**DONE** and **ORDERED** this 19<sup>th</sup> day of March, 2009.



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INGE PRYTZ JOHNSON  
U.S. DISTRICT JUDGE